

**DECLARATION****SOLE/JOINT INVENTOR  
ORIGINAL/SUBSTITUTE/CIP**

As a below named inventor, I hereby declare that: my residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first, and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Portable Fuel-Cell-Powered System with Ultrasonic Atomization of H<sub>2</sub>O By-Product,  
as described in the U.S. Patent Application Serial No. 08/885,253, filed 6/30/97.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above; that I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application; that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months prior to this application; and that I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations § 1.56(a). Such information is material when it is not cumulative to information already of record or being made of record in the application, and

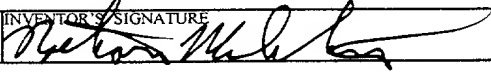

- (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) it refutes, or is inconsistent with, a position the applicant has taken or may take in:
  - (i) opposing an argument of unpatentability relied on by the Office, or
  - (ii) asserting an argument of patentability.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificates listed below and have also identified below any foreign application(s) having a filing date before that of the application(s) on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE OF FILING	PRIORITY CLAIMED UNDER 35 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35 United States Code § 120 of any United States application(s) listed below and, insofar as any subject matter of any claim of this application is not disclosed in the prior United States Application, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR Nathan Mitchell	INVENTOR'S SIGNATURE 	DATE 10/22/97
RESIDENCE 10 Ridgeline Court, The Woodlands, TX 77381		CITIZENSHIP U.S.
POST OFFICE ADDRESS 10 Ridgeline Court, The Woodlands, TX 77381		
FULL NAME OF SECOND JOINT INVENTOR Inventor: Joseph F. Freiman	INVENTOR'S SIGNATURE 	DATE 10/22/97
RESIDENCE JFF 10/22/97 12919 Windcrest Court, Cypress TX, 77429		CITIZENSHIP U.S.
POST OFFICE ADDRESS JFF 10/22/97 12919 Windcrest Court, Cypress TX, 77429		

## ASSIGNMENT

WHEREAS, I, Joseph F. Freiman, am the inventor of Portable Fuel-Cell-Powered System with Ultrasonic Atomization of H<sub>2</sub>O By-product, application for United States Letters Patent Serial No. 08/885,253, filed 6/30/97; and

WHEREAS, COMPAQ COMPUTER CORPORATION, a corporation created and existing under and by virtue of the laws of the State of Delaware, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention throughout the world, and all right, title and interest in, to and under any and all Letters Patent of the United States and all other countries throughout the world;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, I hereby sell, assign, transfer and set over to COMPAQ COMPUTER CORPORATION, all right, title and interest in and to the said invention throughout the world, and said application for U.S. Letters Patent, and any and all divisions, continuations, and reissues thereof, and any and all Letters Patent of the United States and foreign countries which may be granted therefor, the same to be held and enjoyed by COMPAQ COMPUTER CORPORATION for its own use and benefit, and for the use and benefit of its successors, assigns, or other legal representatives, to the end of the term or terms for which said Letters Patent of the United States or foreign countries are or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by me if this assignment and sale had not been made.

And I hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States on said invention or resulting from said application and from any and all divisions, continuations, and reissues thereof, to COMPAQ COMPUTER CORPORATION, as assignee of our entire interest, and hereby covenant that I have the full right to convey the entire interest herein assigned, and that I have not executed and will not execute any agreement in conflict herewith.

And I further hereby covenant and agree that I will, at any time, upon request, execute and deliver any and all papers that may be necessary or desirable to perfect the title of said invention and to such Letters Patent as may be granted therefor, to COMPAQ COMPUTER CORPORATION, its successors, assigns, or other legal representatives and that if COMPAQ COMPUTER CORPORATION, its successors, assigns or other legal representatives shall desire to file any divisional or continuation applications or to secure a reissue of such Letters Patent, or to file a disclaimer relating thereto, will upon request, sign all papers, make all rightful oaths and do all lawful acts requisite for the filing of such divisional or continuation application, or such application for reissue and the procuring thereof, and for the filing of such disclaimer, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

And I do further covenant and agree that I will, at any time upon request, communicate to COMPAQ COMPUTER CORPORATION, its successors, assigns or other legal representatives, such facts relating to said invention and Letters Patent or the file history thereof as may be known to me, and testify as to the same in any interference or other litigation when requested so to do, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

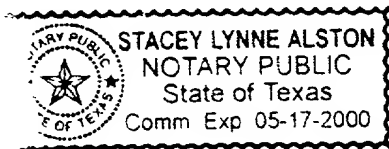
EXECUTED THIS 22nd day of October, 19 97.

Joseph F. Freiman  
Joseph F. Freiman

STATE OF TEXAS       §  
                                  §  
COUNTY OF HARRIS   §

BEFORE ME, the undersigned authority, on this day personally appeared Joseph F. Freiman, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office this 22nd day of October, 19 97.



Stacey Lynne Alston  
Notary Public in and for the State of Texas

## ASSIGNMENT

WHEREAS, I, Nathan Mitchell, am the inventor of Portable Fuel-Cell-Powered System with Ultrasonic Atomization of H<sub>2</sub>O By-product, application for United States Letters Patent Serial No. 08/885,253, filed 6/30/97; and

WHEREAS, COMPAQ COMPUTER CORPORATION, a corporation created and existing under and by virtue of the laws of the State of Delaware, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention throughout the world, and all right, title and interest in, to and under any and all Letters Patent of the United States and all other countries throughout the world;

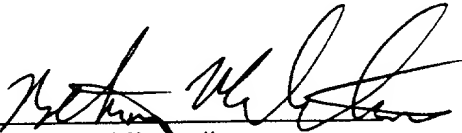
NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, I hereby sell, assign, transfer and set over to COMPAQ COMPUTER CORPORATION, all right, title and interest in and to the said invention throughout the world, and said application for U.S. Letters Patent, and any and all divisions, continuations, and reissues thereof, and any and all Letters Patent of the United States and foreign countries which may be granted therefor, the same to be held and enjoyed by COMPAQ COMPUTER CORPORATION for its own use and benefit, and for the use and benefit of its successors, assigns, or other legal representatives, to the end of the term or terms for which said Letters Patent of the United States or foreign countries are or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by me if this assignment and sale had not been made.

And I hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States on said invention or resulting from said application and from any and all divisions, continuations, and reissues thereof, to COMPAQ COMPUTER CORPORATION, as assignee of our entire interest, and hereby covenant that I have the full right to convey the entire interest herein assigned, and that I have not executed and will not execute any agreement in conflict herewith.

And I further hereby covenant and agree that I will, at any time, upon request, execute and deliver any and all papers that may be necessary or desirable to perfect the title of said invention and to such Letters Patent as may be granted therefor, to COMPAQ COMPUTER CORPORATION, its successors, assigns, or other legal representatives and that if COMPAQ COMPUTER CORPORATION, its successors, assigns or other legal representatives shall desire to file any divisional or continuation applications or to secure a reissue of such Letters Patent, or to file a disclaimer relating thereto, will upon request, sign all papers, make all rightful oaths and do all lawful acts requisite for the filing of such divisional or continuation application, or such application for reissue and the procuring thereof, and for the filing of such disclaimer, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

And I do further covenant and agree that I will, at any time upon request, communicate to COMPAQ COMPUTER CORPORATION, its successors, assigns or other legal representatives, such facts relating to said invention and Letters Patent or the file history thereof as may be known to me, and testify as to the same in any interference or other litigation when requested so to do, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

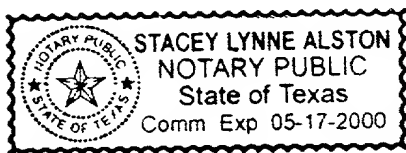
EXECUTED THIS 22nd day of October, 19 97.

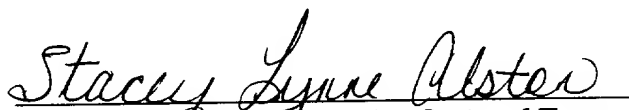
  
Nathan Mitchell

STATE OF TEXAS       §  
                                  §  
COUNTY OF HARRIS   §

BEFORE ME, the undersigned authority, on this day personally appeared Nathan Mitchell, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office this 22nd day of October, 19 97.



  
Notary Public in and for the State of Texas

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*Applicant/Patentee:*

Nathan Mitchell et al.

*Filed: June 30, 1997*

*Serial No.:* 08/885,253

*For:* PORTABLE FUEL-CELL- POWERED  
SYSTEM WITH ULTRASONIC  
ATOMIZATION OF H<sub>2</sub>O BY-  
PRODUCT

## POWER OF ATTORNEY BY ASSIGNEE

Under the provisions of 37 C.F.R. § 3.71, the undersigned assignee of record of the entire interest in the above-identified patent/patent application by virtue of an assignment recorded (check as applicable):

	Concurrently Herewith
x	Date Recorded 12/30/98
x	Reel 9724      Frame 0524

elects to conduct the prosecution of the application/maintenance of the patent to the exclusion of the inventor(s). The undersigned hereby declares that he has reviewed the above-referenced assignment and hereby declares that, to the best of his knowledge, title is in the Assignee, and further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true. The assignee hereby revokes any previous powers of attorney and appoints the following to prosecute this application/maintain this patent and transact all business in the Patent and Trademark Office connected therewith:

Michael G. Fletcher	32,777
Patrick S. Yoder	37,479
Robert A. Van Someren	36,038
Diana M. Sangalli	40,798

Irene Kosturakis	33,724
Keith Lutsch	31,851
Joseph Arrambide	39,589
Sarah T. Harris	35,891
Louis Brucculeri	38,834
Richard P. Lange	27,296
Theodore S. Park	26,971

Please direct all communications to: Fletcher, Yoder & Van Someren, P.O. Box 692289, Houston, Texas 77269-2289, (281) 970-4545, to the attention of: Michael G. Fletcher

**ASSIGNEE**  
COMPAQ COMPUTER CORPORATION

Date: 29 FEBRUARY 2000 BY:

BY:

NAME: Diane Strong  
TITLE: Administrator, Patents

Diane Strong  
Administrator, Patents  
Authorized To Sign This Document On Behalf Of  
Compaq Computer Corporation  
Pursuant To Board Of Directors Resolution  
Date July 28, 1989